

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**TRUSTEES OF THE PIPEFITTERS :  
AND PLUMBERS LOCAL 524 :  
PENSION AND ANNUITY PLAN, :  
*et al.***

**Plaintiffs**

**v.**

**YANNUZZI, INC.,**

**Defendant**

**CIVIL ACTION NO. 3:15-2085**

**(JUDGE MANNION)**

**ORDER**

For the reasons discussed in the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) the plaintiffs' motion for the court's entry of default judgment against the defendant, (Doc. [7](#)), is **DISMISSED AS MOOT**;
- (2) the plaintiffs' supplemental motion for the court's entry of default judgment against the defendant, (Doc. [10](#)), is **GRANTED**;
- (3) the court hereby enters default judgment, in favor of the plaintiffs and against the defendant in the amount of:
  - (a) \$109,695.12 in unpaid contributions;
  - (b) prejudgment interest for the Benefit Fund Plaintiffs in the amount of \$5,564.97, as of March 2015, and until December 8, 2015, at the rate of twelve percent per annum;

- (c) liquidated damages for the Benefit Fund Plaintiffs calculated at the rate of ten percent, which equals \$15,907.06;
  - (d) attorney's fees in the amount of \$2,200.00; plus
  - (e) postjudgment interest on the judgment to accrue at the statutory rate, pursuant to 28 U.S.C. §1961, from the date judgment is entered against the defendant;
- (4) The plaintiffs are ordered to file a bill of costs with the clerk of court after the entry of this order; and
- (5) The defendant is permanently enjoined from continuing to violate the terms of the Collective Bargaining Agreement and the Benefit Fund Plaintiffs' Trust Agreements, and that:
  - (a) it must remit all future contributions and remittance reports owed to the plaintiffs in a timely manner;
  - b) within 14 days of the date of this order, the defendant will provide to the plaintiffs payment of contributions owed for the months of July 2015 through the date of this order; and
  - c) within 14 days of the date of this order, the defendant will provide to the plaintiffs a bond or other form of security acceptable to the plaintiffs in the amount of \$109,695.12, which represents the amount of unpaid

contributions owed to the plaintiffs based on the contribution reports submitted by the defendant, and that, until such bond or security is provided, the defendant is enjoined from selling or transferring any assets of the defendant in excess of \$5,000.00 in the aggregate; and

(6) The clerk is directed to close this case.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: August 25, 2016**

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